



LAC LA BELLE MANAGEMENT DISTRICT

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SPECIAL MEETING
THURSDAY, June 6, 2013 – 7:00 P.M.

City of Oconomowoc City Hall
174 E. Wisconsin St., Oconomowoc, WI 53066

"The LLBMD seeks to promote environmentally conscious and fiscally responsible decisions by providing education, enhancing a healthy lake ecosystem and ensuring safe use of Lac La Belle for today and tomorrow."

Agenda

1. Call to Order

Paul Carpenter called the meeting to order at 7:01 P.M.

2. Roll Call of Commissioners

Present

Paul Carpenter

Dan Bauer

Karen Carr

Dave Falstad

Mike Fitzsimmons

Lou Morgan

Absent

Brian Wiemer

3. Discuss & Act on an Amendment of the 2013 Budget regarding Approval of Financial Participation, Up to \$100,000, with Other Municipalities on a Cooperative Streambank Restoration Project & Cost Sharing Agreement for Future Maintenance of the Streambank

P. Carpenter welcomed all to the meeting and reviewed the history of this matter, noting the Lac La Belle Management District (LLBMD) Mission Statement. He also explained that the Southeastern Regional Plan Commission (SEWRPC) had completed a report about the water quality management necessary for Lac La Belle. This plan provided information about the efforts necessary to maintain water quality and clarity within the lake and areas of the watershed that caused disruption to these goals. In past year, the Commissioners of the District had been collecting taxes from District residents with the intention of collecting monies so that lands that would positively impact the quality of the lake could be acquired by the District at some point in time. Criteria were also developed in 2010 to assist in determining the impact of a possible property. At this time, there was an opportunity to participate in a project with other municipalities in a project supported by the Department of Natural Resources (DNR) and SEWRPC to address the outflow of Golf Course Creek into Lac La Belle. Aerial photos showed the impact of the silt and sediment loads from the properties upstream into the lake after a storm. Many dedicated citizens had focused on proper golf course maintenance in the past. Efforts had also been taken in the past to work with upstream property owners to mitigate farm field runoff into the creek. These discussions had gone on for a number of years to no avail. Recently, the Commissioners had been approached by Village of Lac La Belle Staff regarding possible participation in a cooperative project with the other surrounding

municipalities around Lac La Belle that were trying to examine lands on the banks of a farm along the creek to decrease the silt and work to treat the water as it came through the farmland prior to it entering Lac La Belle. This proposal was believed to make a positive impact in the runoff and water quality of creek water entering Lac La Belle. The request this evening was to amend the budget to be able to contribute toward and participate in this project. The District had representation of each municipality on the Commission with all remaining attentive to matters that impacted all municipalities and he believed this was one of those matters that would impact all municipalities and Lac La Belle.

He then introduced Mark Mickelson, Engineer from Yaggy Colby. M. Mickelson explained this project had been active with the Village of Lac La Belle Staff for a very long time. It had begun moving forward in 2010 with efforts brought forth by the Village of Lac La Belle, the Town of Oconomowoc and the LLBMD for participation in a planning grant from the DNR. With that grant secured, other grants could be applied for including one grant that targeted runoff management. As part of these grants, the land north of the Highway 16 bypass was studied as it went through Rolling Hills Golf Course along with the entire watershed for Golf Course Stream. This stream started east of Highway 16 in the low wetlands area running through various lands until it ran under the Highway 16 bypass north of Lac La Belle, through the Golf Course and into the lake. The purpose of the grant was to try to participate in projects that would provide improvement of lake quality. M. Mickelson then shared various locations and issues on a map of the creek location. Efforts had been undertaken to apply for streambank restoration with a filter strip along the streambank and a water quality pond. Those applications were successful and the projects received two different DNR grants. These awards showed the importance of the projects with the DNR as it was not typical to receive more than one grant per project. In addition, a third grant was received to assist in programs for land acquisition for easements for this restoration. Recent negotiations with the property owner had been ongoing since 2011 without success as the acquisition of the property along the streambank far exceeded the project budget. An alternative was developed that allowed the Town of Oconomowoc, the Village of Lac La Belle and the Lac La Belle Management District to work cooperatively along with the City of Oconomowoc on moving this project forward. The City of Oconomowoc was slated to vote on the project later in the month. M. Mickelson went on to explain that since the land was not able to be acquired from the farm owner, efforts were focused on putting the pond in a revised location to the south of the bypass. An advantage to doing so was that there would be a greater drainage area flowing into the pond; however, a disadvantage was that it was more costly in order to have the drainage pipe moving water under the bypass. He had met with the Department of Transportation and had come to agreement about the necessary pipe location and placement. In addition, an agreement was secured with the Rolling Hills Country Club to allow the pipe to reach the pond. The pond would be a water quality pond and would require maintenance as the sediment would settle out in this pond and would require removal over time. Use of this pond showed a 90% reduction on a yearly basis in the sedimentation allowed to flow into Lac La Belle. The pond would be "offline" of the stream and would require a separate storm pipe to catch the water and direct its flow to the pond prior to reaching the lake. Streambank restoration would also take place as part of this project and would include areas north of Lang Road and at the end of Cottonwood Court as well as some parts of the Rolling Hills Country Club areas with exposed streambanks. The portion of the streambank near Cottonwood Court was under the jurisdiction of Waukesha County and the County Staff would do the construction work on their land in that area. M. Mickelson stated this work by County Staff further validated the efforts and demonstrated importance given to the proposed project.

G. Stumpf thanked D. Falstad for his assistance in working with the County on matters related to this project. M. Mickelson explained part of the rezoning for various properties included maintenance of

a 15 foot buffer along the streambank in various areas of the stream corridor that were not being supported at this time by the property owner.

Brad Riemann, 298 Lac La Belle Drive, stated the mud from the farmers' fields in various areas were providing mud into the Golf Course Creek. G. Stumpf explained that observation was the original motivation for addressing this project. The DNR supported the streambank restoration project and pond to remove the undesired silt from the lake. M. Mickelson explained wetland delineation efforts were required along the stream corridor to finalize the pond design and get the project out for bid to provide appropriate pricing for the project for participants.

Lisa Conley, 516 Lac La Belle Drive, questioned whether the creek could be diverted into its own separate pond. M. Mickelson explained the creek could not be diverted so storm sewer would need to be placed on the west side of the box culvert to get into the pond. G. Stumpf further explained the action would preempt the stream by capturing it at key points and direct it into a different pond than the one currently on the Golf Course Creek. There would be capture points on the north side of Lang Road west of the creek that would funnel the water down and capture it with a culvert under Lang Road to direct it into the detention pond on the south side of the bypass. L. Conley questioned whether the pond would overflow its banks in times of flooding. M. Mickelson explained the storm sewer was designed as much as possible to capture up to a "50 Year rain event" and then flow into the pond. The pond would be adjacent to the stream and would have an emergency spillway to protect itself. The pond would also be designed with berms around it to handle flooding events.

Gordon Mamayek, N60 W38469 Blackhawk Drive, questioned where the sediment would go when the pond was full and required dredging. M. Mickelson explained the placement of the sediment once removed from the pond would be the choice of the contractor doing the work. He noted some farmers found the sediment to be desirable for placement on farm fields. L. Morgan stated he would be willing to accept the sediment in the future if needed.

M. Fitzsimmons questioned the impacts of the pond and its construction to the water table and he questioned whether soil borings had been gathered to determine the types of soil in the pond area. He asked these questions because the average water table in that area could hold five inches of water and Hole 2 of the Golf Course would drain directly into this pond as well. He was concerned that the pond would fill with rain water in heavy rainfall events and then, when it was most critical to have the pond function, it would be at a deficit to take on any more stormwater. M. Mickelson stated the pond was designed to handle a "100 Year rain event" without overtopping the berm areas. The berm would be constructed high enough along the streambank to store water in this area so that it slowly could filter out over time. There would be an overflow into riser pipes that were specifically designed for the purpose of bleeding water off slowly. The water quality function of the pond would not function as well in four to seven inch rainfall events; however, it was designed to handle yearly events and would help to filter the water flow in order to provide a buffer in extreme storm events. M. Mickelson noted the soils were hydric soils but were not peat soils so there was no concern about building a pond in that area. Discussion would take place with the Golf Course owner regarding whether the golf course would be allowed to pump from the pond for irrigation purposes. Pumping from this pond would require a capital effort from the owner and at this time the plans for making this improvement were still under discussion.

M. Fitzsimmons questioned the line item total for this project. G. Stumpf explained that originally the project was anticipated to cost just over \$600,000; however, with changes made that would result in less capital toward the project, some of the grant funding would be lost as well. There would be \$250,000 in unfunded stakeholder costs for the project that were required of participants. He further

explained that “hard” numbers were not yet available due to ongoing negotiations with the Golf Course owner as there were many contingencies still remaining. He thought the process could still proceed for approvals in this matter with participation in the project to specified amounts and activity contingent upon approvals of other participants in the project. M. Mickelson stated the amount of the project had changed due to its dynamic moving parts since the grant applications were made. Once the property owner did not want to participate various costs were required to be picked up by other participants. G. Stumpf noted the negotiations with the land owner were a disappointment in this project as the negotiations had exceeded the cost of the project and were no longer feasible for proceeding in the original manner.

B. Riemann questioned the timeline of the project. M. Mickelson explained the streambank restoration portion of the project would take place this summer. The pond would be constructed with an October 1, 2013 start date.

Mary Patrick, 52 Riverview Lane, questioned whether these projects were related to projects near the Golf Course discussed in the past. P. Carpenter explained that a dam was part of discussions held last year with the municipalities regarding reconstruction of the dam along Highway 16. M. Mickelson stated there was a dam and pumping station eliminated in 1999 in the proposed project area. G. Stumpf clarified this project area was north of the area referenced in the project completed in 1999. M. Patrick stated it seemed that the property owner did not seem to respect the water running into the lake.

L. Conley explained there were new phosphorus rules being implemented statewide that were more restrictive; however, the implementation phase seemed to be coming slowly. She noted the proposed project was not a new tax burden for anyone. The problem with the stream area had been ongoing for several decades and this seemed good use of the District’s money in her opinion. P. Carpenter agreed.

P. Carpenter stated the action being considered by the Commission and residents was not an agreement to the project but would allow the Lac La Belle Management District to participate in an opportunity to work cooperatively with the other municipalities on this project. The proposed action would allow the Commissioners to go ahead with the project work but were not agreeing to the exact streambank restoration project at this point in the project process.

M. Fitzsimmons moved to approve an amendment of the 2013 Budget regarding approval of Financial Participation, not to exceed \$100,000.00, for participation in the Cooperative Streambank Restoration project, contingent upon financial participation by the Village of Lac La Belle and Town of Oconomowoc and to enter into a cost-sharing agreement in which the Lac La Belle Management District will annually escrow \$2,000.00 for future upkeep and maintenance expenses associated with the pond to be shared on a 50/50 cost-sharing basis with the Village of Lac La Belle. L. Morgan seconded the motion. P. Carpenter stated more detail could be added to a motion in the future to further specify any additional information needed related to the project. Based on what M. Mickelson had explained, SEWRPC Staff was still required to delineate the wetlands and then the exact project numbers could be determined. M. Patrick questioned whether approval of this motion would mitigate weed growth near her property. P. Carpenter explained this project was targeted at water quality and while there could be some efforts that would mitigate weed growth in her area that might be the result of other LLBMD projects; this was not the motion to address specific weed concerns related to one specific area of the lake. K. Carr stated this motion would provide an annual escrow of monies for maintenance and would address the project participation with all stakeholders required to proceed with the project. In

response to a question from P. Carpenter, G. Stumpf stated the participation of the City was still undetermined at this point. M. Fitzsimmons clarified there was no firm commitment to funds in this motion as all the project participants were required or the project could not proceed. He stated personally he would like to see the budget for the project before voting on the matter; however, he understood the process being utilized. G. Stumpf stated another discussion would be required once all the participants in the project were determined and when the delineation was completed. At that time, he would be able to provide a budget with line items for the project. **There was no further discussion. All present were in favor, with M. Patrick voting nay. Motion carried.**

G. Stumpf thanked D. Falstad, on behalf of the Village of Lac La Belle, for his efforts in working with Waukesha County Staff on this project. P. Carpenter thanked all for coming, thanked G. Stumpf for his efforts on behalf of the Village of Lac La Belle, thanked Lisa Conley for her early efforts in this matter and thanked M. Mickelson for his engineering efforts as well.

4. Adjournment

L. Morgan moved to adjourn from the meeting. D. Bauer seconded the motion. All were in favor. Motion carried. The meeting adjourned at 7:45 P.M.

Minutes prepared by:

Accurate Business Communications, Inc.